

CHANGE REQUEST for FY 08-09 BUDGET REQUEST CYCLE

Department:	Colorado Public Health and Environment
Priority Number:	10
Change Request Title:	Inspectional cost increase due to expansion of Colorado Department of Corrections facilities

SELECT ONE (click on box):

- ☒ Decision Item FY 08-09
☐ Base Reduction Item FY 08-09
☐ Supplemental Request FY 07-08
☐ Budget Request Amendment FY 08-09

SELECT ONE (click on box):

Supplemental or Budget Request Amendment Criterion:

- ☒ Not a Supplemental or Budget Request Amendment
☐ An emergency
☐ A technical error which has a substantial effect on the operation of the program
☐ New data resulting in substantial changes in funding needs
☐ Unforeseen contingency such as a significant workload change

Short Summary of Request:

Through this Decision Item, the Department is requesting an additional \$3,157 of Cash Fund Exempt (CFE) expenditures, for the Consumer Protection Division, personal services, and operating lines. No increase in FTE is anticipated.

Background and Appropriation History:

The Colorado Department of Public Health and Environment/Consumer Protection Division (CDPHE/CPD) inspects Colorado Department of Corrections (CDOC) kitchens and facilities for compliance with retail food regulations and sanitary standards. In FY 08-09, CDOC will be expanding its Kit Carson County and Bent County facilities. These expansions will increase CDPHE/CPD's workload.

Currently, CDOC contracts with the CDPHE/CPD to inspect 33 correctional facilities throughout the state for compliance with the *Colorado Retail Food Establishment Rules and Regulations* and *Sanitary Standards for Penal Institutions*. CDOC will be expanding two facilities in FY 08-09, resulting in additional expenditures to accomplish the required inspections. In the last five years, this appropriation has been adjusted to reflect the

additional expenditures of administrative support personnel and to reflect the total value of the contract between the two agencies.

General Description of Request:

CDPHE/CPD is requesting that its CFE appropriations in FY 08-09 be increased to reflect the new costs of inspecting expanded CDOC facilities. Under these standards, described above, CDPHE/CPD inspects the vocational programs, buildings and grounds, water supply, plumbing systems, sewage disposal, solid waste and refuse disposal, insect and rodent controls, housing, industries, environmental conditions, toilets, lavatories, showers, food, and flammable and toxic material controls.

These inspections are also part of the correctional facilities' accreditation by the American Correctional Association's standards on sanitation, hygiene, work, health and safety. The Association requires a compliance level of 100% for all mandatory standards in order for a facility to retain accreditation. CDPHE/CPD performs its inspections of CDOC facilities prior to the facility's internal and external audits, thus aiding CDOC to maintain its accreditation.

The CDOC Accreditation Program is aware of the additional expenses, and will modify its contract with CDPHE/CPD at the appropriate time to pay for these expenses.

Consequences if Not Funded:

If this Change Request is not approved, CDPHE/CPD will be unable to conduct the necessary and appropriate inspections for the expanded CDOC facilities. Without the required inspections, the possibility of foodborne illness and risk of injuries may increase. On typical inspections, CDPHE/CPD may find faulty faucets, improper temperatures on showers (too hot or too cold), sanitizers at the wrong concentration (too weak or too strong), foods held at dangerous temperatures, cross contamination between raw and cooked foods, dish machines not properly working, etc. After each inspection, the CDPHE/CPD issues a detailed report of deficiencies found. CDOC responds to the report with an action plan detailing how the facility intends to correct the deficiencies and provides a timeline for each correction. Identifying and correcting health and sanitary deficiencies at CDOC facilities minimize foodborne illness and risk of injuries to the facility's general population and staff.

By CDPHE/CPD conducting the inspections prior to the CDOC facility's internal and external audits, the facility has already identified and corrected, or is in the process of correcting, any deficiencies which may be cited in the audits. This enforces the state's position of due diligence in the safety and health of the facilities' general population and staff in the event of litigation regarding the sanitation of a facility.

Calculations for Request:

Summary of Request FY 08-09	Total Funds	General Fund	Cash Funds	Cash Funds Exempt	Federal Funds	FTE
Total Request	\$3,157	\$0	\$0	\$3,157	\$0	0.0
Personal Services	\$2,349	\$0	\$0	\$2,349	\$0	0.0
Operating	\$808	\$0	\$0	\$808	\$0	0.0

Summary of Request FY 09-10	Total Funds	General Fund	Cash Funds	Cash Funds Exempt	Federal Funds	FTE
Total Request	\$3,157	\$0	\$0	\$3,157	\$0	0.0
Personal Services	\$2,349	\$0	\$0	\$2,349	\$0	0.0
Operating	\$808	\$0	\$0	\$808	\$0	0.0

Please note: The personal services dollars in this request covers approximately a 0.02 FTE. The Division will have .02 vacancy savings to provide for this FTE from the Department of Human Services programs on the same Long Bill line. Currently, the FTE is being paid from the Retail Food Cash Fund to conduct retail food program inspectional activities. The Retail Food fund does not cover all required activities, including inspection of DOC facilities.

Assumptions for Calculations:

Table 1 – Average Inspector Cost Per Hour	
Title	Inspector's Position Costs per Hour
Environmental Protection Specialist I	\$5,572/month X 12 months = \$66,864 \$66,864/year / 2,080 hours/year = \$32.14/hour
Environmental Protection Specialist II	\$6,396/month X 12 months = \$76,752 \$76,752/year / 2,080 hours/year = \$36.90/hour
Total	\$32.14 + 36.90 = \$69.04
Average Inspector Cost/Hour	\$69.04 / two inspectors = \$34.52 average cost/hour

Table 2 – Managerial Oversight Cost Per Hour	
Title	Program Managers Cost per Hour
Environmental Protection Specialist III	\$8,010/month X 12 months = \$96,120 \$96,120/year / 2,080 hours = \$46.21/hour

Table 3 – Calculations for Budget Change Request for FY 08-09		
Kit Carson Correctional Facility Expansion		
	Personal Services	Operating
Additional Inspection Activities: 24 inspector hours X \$34.52	\$828.48	\$0.00
Managerial Oversight 10% X 24 inspector hours = 2.4 hours X \$46.21/hour	\$110.91	\$0.00
Lodging – 2 nights X \$100/night	\$0.00	\$200.00
Per diem – 3 days X \$44.00/day	\$0.00	\$132.00
Total Expenditures Kit Carson Correctional Facility	\$939.39	\$332.00

Bent County Correctional Facility Addition:		
	Personal Services	Operating
Additional Inspection Activities: 36 hours X \$34.52	\$1,242.72	\$0.00
Managerial Oversight 10% X 36 inspector hours = 3.6 hours X \$46.21/hour	\$166.36	\$0.00
Lodging – 3 nights X \$100/night	\$0.00	\$300.00
Per diem – 4 days X \$44/day	\$0.00	\$176.00
Total Expenditures Bent County Correctional Facility	\$1,409.08	\$476.00
Total FY 2008-2009 Request	\$2,349.00	\$808.00

Table 1

This request is to increase funding for an existing program. Table 1 shows the average inspector cost per hour based upon the position costs of the current inspectors in FY 07-08.

Table 2

Table 2 shows the managerial oversight cost per hour based upon the positions costs of the current program manager in FY 07-08.

Tables 3

Table 3 shows the calculations for the change request for FY 08-09. In this table, the inspector hourly cost is based upon the calculations in Table 1 and managerial oversight cost is based upon the calculations in Table 2.

Lodging is based upon current rates of motels in the facilities' vicinities. Per diem is based upon the Colorado State Fiscal Rules, Chapter 5, Travel.

Impact on Other Government Agencies:

For many years, the Colorado Department of Corrections has contracted with the Colorado Department of Public Health and Environment for the services listed above. The costs incurred by CDOC will increase slightly to match this Decision Item, and will be absorbed within their existing resources.

Cost Benefit Analysis:

According to the National Institute of Corrections, in their publication “Prison Health Care Survey, An Analysis of Factors Influencing Per Capita Costs,” the State of Colorado spends \$7.09 per inmate, per day, for inmate health care. Inspections of CDOC kitchens for compliance with the *Colorado Retail Food Establishment Rules and Regulations* minimizes the possibility of foodborne illness, which will help stabilize and reduce the potential for increased health care costs. Inspections of CDOC grounds, housing, vocational programs, industries, solid waste, and refuse and sewage disposal for compliance with *Sanitary Standards for Penal Institutions*, aids in the prevention of other communicable diseases and minimizes the possibilities of potential injuries.

The cost of foodborne illness to the general population has always been difficult to identify, but based upon US Food and Drug Administration estimates, the following table provides an approximate cost.

Table 5 – Estimated Cost of Foodborne Illness in Colorado	
76 million illnesses attributed to foodborne illness in the United States	National average cost of foodborne illness is estimated at \$10-\$83 billion annually
Average estimated cost of an individual foodborne illness	\$132 - \$1,092
1,529 people in Colorado with an illness attributed to foodborne illness from 2002 through 2004 at an estimated cost of \$132 - \$1,092 per illness over a three year period	\$201,828 - \$1,669,668
Average estimated cost of foodborne illness for known cases in Colorado annually	\$67,276 - \$556,556

The national number of illnesses and average cost of those illnesses is taken from the Food Code 2005, published by the US Department of Health and Human Services, Food and Drug Administration.

While these estimated costs of foodborne illness in Colorado are for the population at-large and not a population incarcerated, it is assumed that the costs of an outbreak in a

general prison population would be comparable to that of the population at large, for the following reasons.

- An outbreak of foodborne illness in a correctional facility would impact and affect a larger number of individuals than an outbreak among the general population. In the article “Preventable disease in correctional facilities: desmoteric foodborne outbreaks in the United States, 1974-1991” published in the Archives of Internal Medicine, foodborne outbreaks reported to the Centers for Disease Control and Prevention as part of routine surveillance from 1974 to 1991 were examined to identify outbreaks in jails, prisons, correctional facilities and juvenile detention centers. Outbreak sizes, temporal trends, food vehicles, pathogens, and hygienic transgressions were analyzed. Eighty-eight desmoteric foodborne outbreaks involving 14,307 cases of illness were reported from 31 states and territories. The mean outbreak size was 163 cases, compared with a mean of 31 cases for the 9,107 reported outbreaks not involving incarcerated individuals.
- The number of illnesses that can occur due to a foodborne outbreak in a correctional facility may increase without regular inspections due to the close proximity in living quarters and the same food being served to the facility population (as compared to a restaurant, where it is possible for one person to consume contaminated food items and be ill, and another order something entirely different from the menu or receive their food from a completely different restaurant and suffer no symptoms).

Currently, the Kit Carson, and Bent facilities have a combined approximate population of 1,520 inmates. The two expansions will increase this population by 1,440 to approximately 2,960 inmates. At a per capita cost of \$7.09 per inmate per day, the health care costs for a single inmate are approximately \$2,588 annually. The cost of this request lowers the risk of future foodborne illness that can potentially cost an additional \$132 - \$1,092 per inmate, per episode.

Implementation Schedule:

Task	Month/Year
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Written Contract with Department of Corrections Modified for FY 2008-09	July 1, 2008
Written Contract with Department of Corrections Modified for FY 2009-10	July 1, 2009

Statutory and Federal Authority:

All citations are from the 2006 C.R.S.

C.R.S. 25-1.5-101(1)(i)(I) To establish sanitary standards and make sanitary, sewerage, and health inspections and examinations for charitable, penal, and other public institutions, and, with respect to the state institutions under the department of human services specified in section [27-1-104](#), C.R.S., or under the department of corrections specified in section [17-1-104.3](#) (1) (b), C.R.S., such inspections and examinations shall be made at least once each year. Reports on such inspections of institutions under control of the department of human services or the department of corrections shall be made to the executive director of the appropriate department for appropriate action, if any.

Performance Measures:

This Decision Item will support the following workload measure by providing the Department with enough resources to inspect the Department of Corrections new and expanded facilities.

Performance Measure: Prevent and reduce foodborne, vectorborne, bloodborne, and other communicable disease cases statewide measured by number of interventions (i.e. enforcement actions, inspections, condemnation actions against adulterated foods, food recall activities and special investigations.				
Workload Indicators	FY 05-06 Actual	FY 06-07 Actual	FY 07-08 Approp.	FY 08-09 Request
Number of inspections (milk producers/processors, wholesale /retail food firms, correctional facilities, child care facilities, schools, artificial tanning facilities and non-community ground water systems	3,009	3,202	3,177	3,185